

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	Case No. 2:22-cr19
	:	
vs.	:	Judge: Graham
	:	
JACKSON SAWALL,	:	
	:	
Defendant.	:	

DEFENDANT’S EMERGENCY MOTION TO RECONSIDER

Now comes the Defendant, Jackson Sawall, through counsel, pursuant to 18 U.S.C. §§ 3142 and 3145 and moves this Court to reconsider its order to revoke Mr. Sawall’s bond on December 1, 2022 (Doc. 94). Mr. Sawall who upon having been notified of the warrant, went to the United States Probation Office in the Eastern District of Wisconsin this morning of December 2, 2022, where he was subsequently taken into custody. He will have an initial appearance for a Rule 5 warrant later today.

In revoking Mr. Sawall’s bond, the Court has expressed that it believes Mr. Sawall’s mental health issues create a substantial risk to the safety of himself and to the community and that he presents a substantial risk of flight. The Court has additionally expressed that this belief is based on credible information presumably recently made reviewable to the Court.

Counsel is of the belief that no additional information has emerged since the Government’s last disclosure of materials to both this Court and defense counsel. If this is in fact the case, it must be noted that the nature of this content has been known by the parties since it was seized by law

enforcement in 2020, and the specific content was disseminated to the parties by probation months ago. Throughout it all, the Government has continued to agree to allow Mr. Sawall to remain free in the community with conditions. It surely is a reflection on their belief as to his danger to the community and his risk of flight. Throughout this process, Mr. Sawall has not once been accused of violating the terms of his bond nor has he been unreachable by counsel or his Pretrial Services officer. Additionally, Mr. Sawall has been on location monitoring since he received bond conditions at his initial appearance. Not only has there been no monitoring violation there, but he has been allowed by agreement of the parties to expand his allowable range to accommodate his work. For its part, the Government continues to express the position that Mr. Sawall's circumstances have not changed to warrant its own request to revoke his bond status.

Even as he understands the guidelines and the potential punishments available to this Court, Mr. Sawall has made every appointment and had finalized plans to be in court just days prior to the last continued court date. Additionally, Mr. Sawall had been making financial arrangements (ie working to save money, pay future rent, etc.) in the event that he is incarcerated in January. Mr. Sawall's loved one desperately need him to remain out to maintain these previously laid logistical plans.

Finally, it should be noted that Mr. Sawall has been attending counseling, and his therapist, Mike Steger, had reviewed prior diagnoses of Mr. Sawall and offered a differing opinion. That opinion has been included with the sentencing memorandum and is again attached here with permission from Mr. Sawall.

In short, in the two years since these actions took place, Mr. Sawall has not only done what has been asked of him, but he has shown himself to be a model citizen. Whatever may be the long term fate of Mr. Volden at sentencing, he begs this Court to at least spend this remaining month

before sentencing continuing to live this life of that model citizen.

WHEREFORE, for the reasons set forth above, Defendant Jackson Sawall requests that this Court reconsider its previous decision and rescind its order revoking his bond..

Respectfully submitted,

DEBORAH L. WILLIAMS
FEDERAL PUBLIC DEFENDER

/s/ Soumyajit Dutta
Soumyajit Dutta (OH 76762)
Assistant Federal Public Defender
Federal Public Defender's Office
10 West Broad Street, Suite 1020
Columbus, Ohio 43215-3469
(614) 469-2999
Soumyajit_Dutta@fd.org
Attorney for Defendant
Jackson Sawall

CERTIFICATE OF SERVICE

I hereby certify that I filed electronically under seal with the Court and that all recipients were properly served.

/s/ Soumyajit Dutta
Soumyajit Dutta